



General Assembly

January Session, 2003

***Raised Bill No. 1159***

LCO No. 3014

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING ASPORTATION IN KIDNAPPING CASES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-91 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 The following definitions are applicable to this part:

4 (1) "Restrain" means to restrict a person's movements intentionally  
5 and unlawfully in such a manner as to interfere substantially with [his]  
6 such person's liberty by moving [him] such person from one place to  
7 another, or by confining [him] such person either in the place where  
8 the restriction commences or in a place to which [he] such person has  
9 been moved, without consent. As used [herein] in this subdivision,  
10 "without consent" means, but is not limited to, (A) deception, and (B)  
11 any means whatever, including acquiescence of the victim, if [he] the  
12 victim is a child less than sixteen years old or an incompetent person  
13 and the parent, guardian or other person or institution having lawful  
14 control or custody of [him] the victim has not acquiesced in the  
15 movement or confinement.

- 16 (2) "Abduct" means to [restrain a person] carry away a person under  
17 coercion and restraint to another place with intent to prevent [his] such  
18 person's liberation and to a degree that is not incidental to the  
19 commission of another crime by either (A) secreting or holding [him]  
20 such person in a place where [he] such person is not likely to be found,  
21 or (B) using or threatening to use physical force or intimidation.
- 22 (3) "Relative" means a parent, ancestor, brother, sister, uncle or aunt.

This act shall take effect as follows:	
Section 1	<i>from passage</i>

**Statement of Purpose:**

To address the decision in State v. Luurtsema, 262 Conn. 179 (2002) by providing that the crime of kidnapping requires an element of asportation or carrying away to another place under coercion and restraint.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*